

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

Melody M. LaRocca

SUMMONS IN A CIVIL ACTION

V.

Collen IP, Intellectual Property Law, P.C.
and Donald J. Ranft, as Aider and Abettor

CASE NUMBER:

08 CIV. 6274

TO: (Name and address of Defendant)

Collen IP, Intellectual Property Law, P.C.
80 South Highland Avenue
Ossining, New York 10562

JUDGE ROBINSON

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Lyons McGovern, LLP
16 New Broadway
Sleepy Hollow, New York 10591

an answer to the complaint which is served on you with this summons, within _____ days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

CLERK

CLERK

DATE

(By) DEPUTY CLERK

JUL 11 2008

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RETURN OF SERVICE		
Service of the Summons and complaint was made by me ⁽¹⁾	DATE	7/22/08
NAME OF SERVER (PRINT) JEFFREY KING	TITLE	PROCESS SERVER
Check one box below to indicate appropriate method of service		
<input checked="" type="checkbox"/> Served personally upon the defendant. Place where served: COLLEN IP, INTELLECTUAL PROPERTY LAW, P.C. 80 SOUTH HIGHLAND AVE OSSINING, NY 10562 <input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: <input type="checkbox"/> Returned unexecuted: <input type="checkbox"/> Other (specify):		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL \$0.00
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on <u>July 28, 2008</u> <u>[Signature]</u> Date Signature of Server</p> <p style="text-align: center;"><u>WESTCHESTER COUNTY, NY</u> Address of Server</p> <p><u>July 28, 2008</u> AMY KING Notary Public, State of New York Reg. No. 01K16149419 Qualified in Westchester County Commission Expires July 10, 2010</p>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

AFFIDAVIT OF SERVICE

FILED ON:

July 11, 2008

INDEX NO.:

08 CIV 6274

MELODY M. LARocca,

Plaintiff(s) - Petitioner(s)

-VS-

COLLEN IP, INTELLECTUAL PROPERTY LAW, P.C., ET AL.

Defendant(s) - Respondent(s)

STATE OF NEW YORK

COUNTY OF WESTCHESTER

I, **Jeffrey King** being duly sworn, deposes and says that deponent is over the age of eighteen years, is not a party in this proceeding and resides in New York State.On **July 22, 2008**

at

2:30 PM

Deponent served the within

SUMMONS IN A CIVIL ACTION AND COMPLAINT - JURY TRIAL DEMANDED**NOTICE OF A REQUIREMENT TO SUBMIT A SCHEDULING ORDER**upon **COLLEN IP, INTELLECTUAL PROPERTY LAW, P.C., DEFENDANT**at address: **80 South Highland Ave.**City & State: **Ossining, NY 10562**MANNER OF SERVICEINDIVIDUAL
1. ☐ By delivering a true copy of each to said recipient personally; deponent knew the person so served to be the person described as said recipient thereinCORPORATION
2. ☒ a **DOMESTIC** corporation, by delivering thereat a true copy of each to **DONALD J. RANFT** personally, deponent knew said corporation so served to be the corporation, described in same as said recipient and knew said individual to be **MANAGING AGENT AND AUTHORIZED TO ACCEPT** thereofSUITABLE AGE
PERSON
3. ☐ by delivering thereat a true copy of each to a person of suitable age and discretion. Said premises is recipient'sAFFIXING TO
DOOR, ETC.
4. ☐ by affixing a true copy of to the door of said premises which is recipient's Deponent was unable, with due diligence to find recipient or a person of suitable age and discretion, thereat, having called there. Deponent talked to premises who stated that recipientMAILING TO
RESIDENCE
Use with 3 or 4
5a. ☐ Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a first postpaid envelope properly addressed to recipient at recipient's last known residence, at and deposited said envelope in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State.MAILING TO
BUSINESS
Use with 3 or 4
5b. ☐ Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a first postpaid envelope properly addressed to recipient's actual place of business, at in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State. The envelope bore the legend "Personal and Confidential" and did not indicate on the outside thereof, by return address or otherwise, that the communication was from an attorney or concerned an action against the recipient.DESCRIPTION
☒ Deponent describes the person actually served as:
Sex: **MALE** Skin Color: **WHITE SKIN** Hair Color: **GRAY HAIR**
Approx. Age: **51-65 YRS.** Approx. Height: **5'9"-6'0"** Approx. Weight: **161-200 LBS.**
Other identifying features:WITNESS FEES:
☐ \$ authorizing traveling expenses and one days' witness feeMILITARY
SERVICE
☐ I asked the person spoken to whether recipient was in active military service of the United States or of the State of New York in any capacity whatever and received a negative reply. Recipient wore ordinary clothes and no military uniform. The source of my information and the grounds of my belief are the conversations and observations above narrated. Upon information and belief I aver that the recipient is not in military service of New York State or of the United States as that term is defined in either the State or in the Federal statutes.

Sworn before me on

July 28, 2008

AMY KING

Notary Public, State of New York
Reg. No. 01K16149419
Qualified in Westchester County
Commission Expires July 10, 2010

JEFFREY KING